

REMARKS

The present amendment is submitted in response to the Office Action entered on June 7, 2007. A petition for a three month extension of time and a request for continued examination (RCE) are submitted herewith.

Claims 2-9, 11-18, 20, 21, 23-52 are pending. Claims 1, 10, 19 and 22 are withdrawn from consideration. Claims 31-52 were rejected under 35 U.S.C. §112 for lacking support in the specification. Claims 2, 3, 11, 12, 20, 23, 27, 30-32, 39-41, 48, 49 and 51 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Pat. No. 5,809,003 issued to Taira et al. (Taira). Claims 5-8, 14-17, 34-37, 43-46 were rejected as obvious under 35 U.S.C. §103(a) in view of Taira in combination with U.S. Pub. No. 2001/0040867 issued to Onodera et al. (Onodera). Applicant notes with appreciation that claims 4, 9, 13, 18, 21, 24-26, 28 and 29 were indicated as allowable if amended to remove dependencies from rejected claims. Reconsideration and reexamination in view of the arguments submitted below is respectfully requested.

Claims 31-52 were rejected under 35 U.S.C. §112 for lacking support in the specification. More specifically, the Examiner stated that the specification does not support the recitation of "recording the image formation information in the same optical disk by using the optical writing process after the visual image is formed on the surface of the optical disk." Applicant respectfully disagrees.

It is respectfully submitted that the above recitation is disclosed throughout the specification, including for example, paragraph 91. Paragraph 91 discloses that the visual image may be formed first and the image formation information (referred to as VIS 1) may be formed after it.

Claims 2, 3, 11, 12, 20, 23, 27, 30-32, 39-41, 48, 49 and 51 were rejected under 35 U.S.C. §102(b) as being anticipated by Taira. Of these, claims 2, 11, 20, 23, 31, 40, 49 and 51 are independent. Claims 3 and 27 depend upon claim 2, claims 12 and 30 depend from claim 11, claims 32 and 39 depend from claim 31 and claims 41 and 48 depend from claim 40. All independent claims recite that image formation information is written to the disk. Image formation information is

information that describes an image that is being formed. For example, the image formation information may include a start address of the image, an end address of the image and a definition of a pattern of an image (see Abstract). Since data describing the image is electronically stored in the disk, various devices reading the disk can quickly and easily be made aware of what type of image is formed on the disk and where it is formed.

Applicant respectfully submits Taira does not disclose recording image formation information. After a careful review of the portions the Examiner cited as anticipatory for recording image formation information (Figs. 2-5, cols 1 and 2), Applicant asserts that while Tiara discloses recording an actual image, it does not disclose recording any data that describes the image on the same disk. Therefore, Tiara does not anticipate independent claims 2, 11, 20, 23, 31, 40, 49 and 51. Neither does Taira anticipate claims 3, 12, 27, 30, 32, 39, 41 and 48 which depend from some of the above independent claims.

Claims 5-8, 14-17, 34-37, 43-46 were rejected as obvious under 35 U.S.C. §103(a) in view of Taira in combination with Onodera. Claims 5-8 depend upon claim 2, claims 14-17 depend upon claim 11, claims 34-37 depend upon claim 31 and claims 43-46 depend upon claim 40. Independent claims 2, 11, 31 and 40 are patentable in view of Taira for the above discussed reasons. Therefore, claims 5-8, 14-17, 34-37, 43-46 are also patentable in view of Taira.

Independent claims 2 and 11 are patentable in view of Onodera for the reasons discussed in the previous amendment. More specifically, these claims recite that the visual image and the image formation information are both formed in a program area of the same optical disk. The only subject matter disclosed by Onodera that can be compared to image formation information is the table of contents of Onodera (see ¶ 63, 64). More specifically, Onodera discloses that the visual image can be based on an edited version of existing text in the table of contents. Assuming, *arguendo*, that the table of contents can be compared to visual formation information, Onodera does not disclose that the visual formation information is recorded in the program area of the optical disk, as recited by claims 2 and 11. On the contrary, table of contents information is usually recorded in the table of contents area of the disk which is distinct from the program area. Taira does not cure

Onodera's defects. As Taira does not disclose recording image formation information to begin with, it does not disclose placing that information in the program area.

Therefore, independent claims 2 and 11 are patentable in view of the combination of Taira and Onodera. Subsequently, claims 5-8 and 14-17 which depend from claims 2 and 11 are also patentable in view of that combination.

Independent claims 31 and 40 recite that the image formation information is recorded after the image is recorded. This is not disclosed by Onodera. If the table of contents of Onodera is again assumed, *arguendo*, to be equivalent to the image formation information, then it is clear that Onodera discloses recording the image formation information before the image is recorded and not after. See, for example, Figs. 5 and 6 which disclose that the table of contents are written (step S120 of Fig. 5) before the image is recorded (step S222 of Fig. 6). See also paragraphs 66-112 for a description of this process. In another embodiment of Onodera (shown in Fig. 10) the image recording process is performed for a disk for which the table of contents is already written (see paragraph 113). Thus, the image formation information is again placed on the disk before the image itself. In a third embodiment (illustrated in Fig. 11) the user enters the image formation information manually and no image formation information is recorded on the disk at all (see paragraphs 136, 137). Again, Taira does not cure this deficiency of Onodera, because Taira does not disclose recording any image formation information and thus cannot teach recording that information after the image is recorded.

Therefore, independent claims 31 and 40 are patentable in view of Onodera. Subsequently, claims 34-37, 43-46 which depend upon claims 31 and 40 are also patentable.

Accordingly, for the reasons discussed above, the present claims are believed to be in condition for allowance.

If, for any reason, the Examiner finds the application other than in condition for allowance, Applicants request that the Examiner contact the undersigned attorney at the Los Angeles

telephone number (213) 892-5790 to discuss any steps necessary to place the application in condition for allowance.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. 393032038600.

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Respectfully submitted,

By 

Hristo Vachovsky

Registration No.: 55,694

MORRISON & FOERSTER LLP

555 West Fifth Street, Suite 3500

Los Angeles, California 90013

(213) 892-5200